

TABLE OF CONTENTS

PRELIMINARY STATEMENT 1

FACTUAL AND PROCEDURAL HISTORY 2

LAW AND ARGUMENT 3

POINT I

THE UNDERLYING CASE WAS PROPERLY BROUGHT IN QUEENS COUNTY 3

POINT II

THE REMOVAL WAS UNTIMELY 3

POINT III

THE MOVING DEFENDANTS DID NOT RECEIVE THE CONSENT OF DEFENDANT SAHIB S. WALIA AND SO THE REMOVAL WAS IMPROPER 4

POINT IV

THE PLAINTIFF HAD AT INCEPTION, AND HAS TODAY, A GOOD FAITH BASIS UNDER CONTROLLING NEW YORK PRECEDENT TO MAINTAIN THIS ACTION IN STATE COURT 4

POINT V

THERE IS NO POSSIBLE GROUNDS FOR FEDERAL JURISDICTION AS LONG AS DEFENDANT SAHIB S. WALIA REMAINS IN THE CASE 6

POINT VI

THE REMOVAL WAS FRIVOLOUS, AND AS SUCH COSTS ARE APPROPRIATE.... 7

CONCLUSION 7